IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

SECOND APPEAL NO.918 OF 2005.

Dundappa Changonda Patil : Appellant.

versus

Maruti Krishna Kaloji & ors. : Respondents.

Mr.V.B.Rajure for the appellant

None for the respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 08th September 2005.

ORAL ORDER

1. Heard advocates for the appellant. Nobody is present for the respondents. The plaintiff filed a suit for specific performance of agreement. That suit was decreed. The appellant/defendant filed first appeal. That appeal came to be dismissed. The question involved was regarding claim of the plaintiffs for specific performance on the basis of written

agreement.

2. From the Issues framed by the trial Court only one issue appears to be pertaining to bar of legal provision i.e. whether there is a bar of cosolidation Act for granting the relief of specific performance to the plaintiffs. But the findings of the trial Court are absolutely clear and are in the negative. Those findings have been upheld by the appellate Court. Excepting the aforesaid Issue, there is no other question of law involved nor any substantial question of law is there. The concurrent findings of facts are in favour of the respondents. There is no merit in this appeal. Hence the appeal is dismissed.

[D.G.DESHPANDE,J]